

## **EXHIBIT B**

**DISPUTED LANGUAGE IN THE PARTIES'**  
**PROPOSED DEPOSITION PROTOCOLS**

Section	Defendants' Version	Plaintiffs' Version
Page 1, Footnote 1	The Court anticipates entering a subsequent order addressing in more detail the <b>depositions of Plaintiffs, including</b> limitations on numbers and length of examinations of Plaintiffs and their health care providers, as well as any issues relating to identity of Plaintiff and disclosure of confidential documents to third parties.	The Court anticipates entering a subsequent order addressing in more detail <b>plaintiff-specific depositions</b> , limitations on numbers and length of examinations of Plaintiffs and their health care providers, as well as any issues relating to identity of Plaintiff and disclosure of confidential documents to third parties.
II. Conduct of Depositions: Duration and Number	Sequencing of <b>depositions noticed by Defendants, including depositions of Plaintiffs and other third-party witnesses such as</b> health care providers, will be set by separate order.	Sequencing of <b>plaintiff-specific depositions</b> , including depositions of health care providers, will be set by separate order.
II. Conduct of Depositions: Duration and Number	Absent agreement of the Parties or a Court order allowing additional time or reducing the allowed time, the time limit for depositions is seven (7) hours of direct examination by the Plaintiffs' attorneys ( <b>7 hours for the combined examination of MDL and JCCP Plaintiff attorneys</b> ) or by the Defendants' attorneys (7 hours for the combined examination of all Defendants' attorneys), in each case depending on whether a Plaintiff or Defendants noticed	Absent agreement of the Parties or a Court order allowing additional time or reducing the allowed time, the time limit for depositions is seven (7) hours of direct examination by the Plaintiffs' attorneys <b>or (14) hours for the combined examination by MDL and JCCP Plaintiff attorneys (subject to agreement or Court order from the JCCP)</b> or by the Defendants' attorneys (7 hours for the combined examination of all Defendants' attorneys), in each case

	the deposition. The seven (7) hours of examination shall not include questioning by the party defending the deposition or other opposing counsel. <b>Additionally, Defendants agree that the Plaintiffs can designate 5 depositions that will last 10 hours and 3 that will last 14 hours.</b> The noticing party shall be entitled to a minute-for-minute re-cross following any examination conducted by the defending party and/or other opposing counsel.	depending on whether a Plaintiff or Defendants noticed the deposition. The seven (7) hours of examination <b>(or 14 if combined examination by MDL and JCCP Plaintiff attorneys)</b> shall not include questioning by the party defending the deposition or other opposing counsel. The noticing party shall be entitled to a minute-for-minute re-cross following any examination conducted by the defending party and/or other opposing counsel.
II. Conduct of Depositions: Duration and Number	<b>Plaintiffs may take up to thirty (30) witnesses including 30(b)(6) depositions of the Uber Defendants unless otherwise agreed to by the Parties or ordered by the Court. <del>Limits on the number and duration of plaintiff-specific depositions will be set in a separate court order.</del></b>	<b>The Court will not set any caps on the number of depositions of Uber witnesses at this time, but will revisit the issue in due time.</b>  <b>[ALTERNATIVELY: Plaintiffs take may up to one hundred 100 fact depositions, excluding 30(b)(6) witness depositions, of the Uber Defendants, unless otherwise agreed to by the Parties or ordered by the Court.] Limits on the number and duration of plaintiff-specific depositions will be set in a separate court order.</b>
II. Conduct of Depositions: Duration and Number	It is understood that the Plaintiffs may notice and take multiple Rule 30(b)(6) depositions of Defendants. The party noticing a Rule 30(b)(6) deposition may	It is understood that the Plaintiffs may notice and take multiple Rule 30(b)(6) depositions of Defendants. The party noticing a Rule 30(b)(6) deposition may

	<p>limit a Rule 30(b)(6) deposition notice to a discrete subject matter category and notice topics concerning that category (without prejudice to serving additional Rule 30(b)(6) notices as the discovery period continues). For depositions pursuant to Rule 30(b)(6), the noticing party shall make a good faith effort to include all topics that relate to a discrete subject matter category in a single notice. Every seven (7) hours of Rule 30(b)(6) deposition testimony shall count as one (1) deposition against the overall limit of thirty (30) depositions of Uber defendants. The seven (7) hours of examination shall not include questioning by the party defending the deposition or other opposing counsel.</p>	<p>limit a Rule 30(b)(6) deposition notice to a discrete subject matter category and notice topics concerning that category (without prejudice to serving additional Rule 30(b)(6) notices as the discovery period continues). For depositions pursuant to Rule 30(b)(6), the noticing party shall make a good faith effort to include all topics that relate to a discrete subject matter category in a single notice. [IF ALTERNATIVE LANGUAGE ABOVE IS USED: Every fourteen (14) hours of Rule 30(b)(6) deposition testimony shall count as one (1) deposition against the overall limit of one hundred (100) depositions of Uber defendants. The fourteen (14) hours of examination shall not include questioning by the party defending the deposition or other opposing counsel.]</p>
II. Conduct of Depositions: Objections and Directions Not to Answer	<p>Counsel shall refrain from engaging in colloquy during a deposition. No speaking objections are allowed, but counsel may state the basis for their objections, and professionalism is to be maintained by all counsel at all times. Counsel shall not make objections or statements that might suggest an answer to a witness.</p>	<p>Counsel shall refrain from engaging in colloquy during a deposition. No speaking objections are allowed, <del>but counsel may state the basis for their objections</del>, and professionalism is to be maintained by all counsel at all times. Counsel shall not make objections or statements that might suggest an answer to a witness.</p>

<p>II. Conduct of Depositions: Objections and Directions Not to Answer</p>	<p>[Delete paragraph]</p>	<p><i>3. Authenticity of documents. Any objection to the authenticity of an exhibit produced by a Defendant or Third-Party bearing a bates stamp that is used in the a deposition must be made by the objecting party within thirty (30) days of the deposition, or the exhibit will be deemed authentic. If an objecting party subsequently obtains information that an exhibit is not authentic, such party will promptly notify the party that offered the exhibit, and all Parties shall cooperate as necessary so that the parties do not expend needless resources over authenticity disputes and the Court may promptly resolve the issue.</i></p>
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